

RESOLUTION IMPOSING A TEM
REVIEW AND ISSUANCE OF
LICENSES FOR MARIJUANA ESTABLISHMENTS

WHEREAS the Board of County Commissioners of Larimer County (“Board”) is authorized by Colorado Constitution Article XVIII, Section 16, and Colorado Revised Statutes 44-10-101, 44-10-104(3) to prepare and administer regulations for marijuana establishments within Larimer County; and

WHEREAS, in 2013 the Board adopted the Larimer County Resolution for Licensure of Retail Marijuana Establishments (Resolution) to regulate and control the licensing of retail marijuana establishments and to regulate and control the cultivation, testing, sale, use in manufacturing and distribution of these establishments in the unincorporated county. These standards also are in the Larimer County Code, Chapter 14, Article VI – Retail Marijuana Establishments, section; and

WHEREAS, the Resolution requires licenses for a) Retail Marijuana Store, b) Retail Marijuana Cultivation Facility, c) Retail Marijuana Products Manufacturing Facility or d) Retail Marijuana Testing Facility, with each license for a specifically named person or persons for one premises and setting the limit at two for each type; and

WHEREAS, the Resolution sets forth other standards for the siting and location of such establishments and standards for the process administration, transfer and issuance of the licenses among other regulations; and

WHEREAS, Larimer County currently has four active licenses, two for Retail Marijuana Stores, and two for Retail Marijuana Cultivation Facilities; and

WHEREAS, the Board has not comprehensively addressed the regulation for marijuana establishments in the County since 2013; and

WHEREAS, in the past ten years the market and conditions have changed significantly related to marijuana operations in Larimer County and the municipalities within the County; and

WHEREAS the County Commissioners see the importance and benefit of reviewing the Resolution and policies regarding Marijuana cultivation and sale, and potentially amending the process for accepting license applications; and

WHEREAS the Board reasonably anticipates that a license could become available this year, and the resolution’s guidance for issuing licenses may take effect while the County is amending the resolution; and

WHEREAS, the Board finds that regulations regarding marijuana in the County have the potential for significant, immediate, and broad impacts public health, welfare, and safety of the present and future inhabitants of Larimer County

WHEREAS the Board finds that this temporary moratorium is necessary to allow time for the thoughtful consideration and update to the Resolution for Licensure of Retail Marijuana Establishments to address public health, welfare, and safety of the present and future inhabitants of Larimer County; and

WHEREAS, in 2022, Larimer County anticipates actively working with the public to modify its Resolution and Code with the specific timeline to be determined; and

WHEREAS the Board finds that a suspension of licenses until January 15, 2023 is necessary to enable the County to prepare and update amendments to the Marijuana resolution and Code; and

WHEREAS, the Board has authority to plan for and regulate the use of land pursuant to the Local Government Land Use Control Enabling Act, C.R.S. §29-20-101, *et seq.*; C.R.S. §30-11-101(2) concerning the adoption and enforcement of resolutions and ordinances regarding health, safety and welfare issues as otherwise prescribed by law; C.R.S. §30-11-107 concerning powers of Boards of County Commissioners; C.R.S. §30-28-115 concerning the promotion of health, safety, convenience, order and/or welfare of the community through land use regulations; C.R.S. 44-10-104(3) concerning the regulation of retail marijuana, and other applicable state and federal statutes and common law grants of authority to best protect and promote the health, safety, and general welfare of the present and future inhabitants of Larimer County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Larimer County that:

1. Effective March 15, 2022, a Moratorium shall be put in effect such that Larimer County shall not accept or process any license requests.
2. Holders of existing Marijuana Licenses may apply for and receive renewals of their current licenses pursuant to the existing process.
3. This extended Moratorium is effective in all of unincorporated Larimer County.
4. This extended Moratorium expires on January 15, 2023 unless sooner repealed or extended by further resolution of the Board.

Signed this 15th day of March, 2022, and effective on March 15, 2022.

**BOARD OF COUNTY COMMISSIONERS
LARIMER COUNTY, COLORADO**

By: Justin Steptus
Chair

ATTEST:

Elizabeth L. Cant
Deputy Clerk

Approved As-To Form:

Asst *Franklin Kelly*
County Attorney

